

LS 6-1525a

2 August 1956

MEMORANDUM FOR: Director of Personnel

ATTENTION [REDACTED]

SUBJECT : Delegation of Authority to the Commanding Officer, [REDACTED] 25X1

1. This memorandum is a follow up of my several telephone conversations with [REDACTED] 25X1

2. The Special Assistant to the DD/S [REDACTED] has asked this Office to advise whether it is necessary for the DCI, rather than the DD/S, to sign the proposed delegation of authority to the Commanding Officer at [REDACTED] which you forwarded to the DCI under date of 11 July. 25X1

3. For the reasons suggested below it is believed there is no legal need to submit any portion of the document for DCI approval and in view of the desirability of avoiding burdening the Director unnecessarily, it is suggested that your objectives be accomplished by the following means:

a. With respect to the authority to administer oaths, which is included in the proposed paragraph 1a(4) and would authorize both the Commanding Officer and the Personnel Officer to administer them, the Commanding Officer now has that authority under paragraph 2 of the delegation of 6 December 1951. If, as I understand is the case, [REDACTED] 25X1

[REDACTED] both the Commanding Officer and the Personnel Officer have the authority under paragraph 4 of [REDACTED] 13 December 1954. Accordingly, 1a(4) appears unnecessary. 25X1

b. It is believed the authority intended by paragraph 1a(1) now exists in paragraph 1 of the 6 December 1951 delegation and in paragraph A(1) of 17 December 1951 delegation. Therefore an instruction which would merely direct the manner in which the Commanding Officer will exercise the authority already delegated to him would appear all that is necessary. It could read as follows:

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"In exercising your authority to employ local custodial and laborer personnel necessary to the accomplishment of your mission (delegated by the Director on 6 December 1951) and your authority to fix wage and salary payment for locally hired personnel consistent with local prevailing wages and salary rates (delegated by the Deputy Director Administration on 17 December 1951), you will recruit, appoint and generally administer such personnel in accordance with the wage schedules of the Army-Air Force Wage Board System, except that you will not evaluate positions and you will involuntarily separate persons only with the prior approval of headquarters in each case."

It is believed the instruction could be issued by the Director of Training with the concurrence of the Director of Personnel. If there is question on this point, however, the DD/S could be requested to issue it.

c. There might be some question with reference to the proposed paragraph 1a(2). If "recruitment" merely means searching for and interviewing, there would be no problem and indeed the provision hardly seems necessary. If it means anything else it appears to conflict with paragraph 2B(1)(a) of [] 30 September 1952, and should not be issued without first amending the regulation.

d. Query the purpose of and need for paragraph 1a(3). The Commanding Officer has authority under 1a(1) (or the instruction suggested above). Doubtless he looks to his Personnel Office for assistance and advice and if he has not required the Personnel Officer's approval on proposed actions he can change that if he wants to. But in any event, it appears that he may appoint without his Personnel Officer's approval and the suggested language would not change that feature.

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[]
Assistant General Counsel

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cc: Office of Training

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OGC/RHL:jcf
Distribution:

Orig - Addressee
✓1 - Subject
1 - Signer
1 - Chrono

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